

# KENNEDY A FREE MAN; WELCOMED AT HOME.

Mrs. Kennedy, Overjoyed, Waits to Take Her Husband Home—Accused Man's Release from Tombs Delayed.

Dr. Samuel J. Kennedy was released on \$10,000 bail this afternoon. Mrs. Eleanor N. Hand, wife of Lieut. Hand, the torpedo expert, qualifying on his bond. Mrs. Hand offered as security the house No. 324 West Seventy-sixth street, valued at \$60,000.

Judge Cowing signed the bond at 2:50 o'clock and Kennedy, accompanied by Lawyer Moore and several friends, left the Criminal Courts Building, while a great throng cheered him.

He was almost carried away by the crowds that surged about him, and traffic on the street was blocked.

The dentist went direct to Lawyer Moore's office at No. 320 Broadway, where he met his wife and other relatives.

The meeting between Kennedy and his wife was most pathetic. Kennedy expressed his thanks to everybody and told of his joy at being free again.

A pity Molineux in his ordeal today, he said. "I know what he suffers and believe him innocent."

He broke down and wept, and after he composed himself started with his wife and relatives for New Dorp, S. I.

Kennedy will at once resume the practice of dentistry.

Although District-Attorney Philbin recommended the release of the accused man today, he announced later that he had received word that new evidence had been discovered. If the report proved true, he said, the dentist would be tried for the fourth time.

Kennedy's Anxious Wait. Kennedy had waited half a day in anxious suspense for release from the Tombs. An hour before noon Judge Newburger had decided to accept bail, and Lawyer Moore, his counsel, had hurried away to get a bondsman.

He returned at lunch time with Lieut. Hand, the torpedo expert, who offered to qualify, but the property he offered being in his wife's name he was not accepted.

Word was sent to Kennedy that Mrs. Hand, the wife of the Lieutenant, would go on the bond, and three hours after Mrs. Hand had appeared and the bond was accepted.

Judge Cowing, sitting in Part I, General Sessions, approved the bond and a court officer was sent to the Tombs for Kennedy.

The prisoner left the Tombs and started across the Bridge at 2:30 o'clock. As he left the prison the prisoners wildly cheered him. He was accompanied by Warden Hazen and Deputy Warden Tom Kelly. He was escorted directly to the room of the bond clerk.

There was a tremendous crowd in the General Sessions corridors awaiting his arrival.

After all the papers had been signed Kennedy, with Lawyer Moore, left the court and pushed their way through the throng. As they reached Elm street the great crowds cheered him, and the



DR. KENNEDY.

Jurors Contribute Fees from Dentist's Trial to Fund for Mrs. Kennedy, and Juror Wiswell Offers to Go on Prisoner's Bond.

took the 4:10 boat for home.

Met His Mother. The Kennedy party crossed the bay on the ferry boat Robert Garrett, and during the trip Kennedy held an impromptu reception. A number of his old friends and neighbors from Staten Island met him at the ferry and these kept him busy talking all the way over.

Arrived at Staten Island more crowded were met and there was more cheering. All the way to New Dorp he was greeted cordially. At the New Dorp station a big throng met him and escorted him home, where there was another affectionate greeting this time with his mother and other relatives.

The Kennedy house was thronged with friends and well-wishers and it was hours before the family was left alone. Samuel W. Eaton, the father of Mrs. Kennedy, discussing the future plans of Dr. Kennedy, said that he would at once resume the practice of dentistry. He intended beginning in New Dorp, but had not decided whether to come to Manhattan.

Waited Hoping. An affecting scene occurred in the offices of Cantwell & Moore, at No. 323 Broadway, today when Mrs. Kennedy entered bright and early, to go with her husband's lawyers to court where she expected his immediate release.

"Good morning, Mr. Moore," she said as she entered. Her face was radiant with smiles and in her hand she carried a peculiar Japanese fan, which she opened and shut nervously. "I have come for him," she exclaimed, and two tears of joy trickled down her face.

Lawyer Moore was greatly embarrassed. The former blacksmith's great chest heaved and he struggled to compose himself.

He was not certain that Dr. Kennedy would be released on bail today, yet he knew not how to tell his fears.

"Yes, Mrs. Kennedy, and we hope he may go out into the grand sunlight with you before the day is past," said he, gently.

Moore Went Alone. "Hope? Are you not sure?" she asked. "Well, you know the law moves slowly at times," he faltered.

"Yes, yes, I know it. But I cannot bear another disappointment." Then, correcting herself, she added: "But if I must, I'll try."

A moment later Lawyer Moore said that he would have to go to court to find out what he could do.

"And I may I go," she asked. "I think you had better not. Wait here until you hear from me."

Lawyer Moore hurried to the Criminal Court Building, where he met District-Attorney Philbin.

Jurors Willing. They were preceded to court by Louis B. Seale, the seventh juror in the trial, and one of the four who held out for conviction.

Before Judge Newburger opened court Mr. Seale appeared before him and said that he and the other three who were of the same opinion as he was in regard to the verdict, had no objection to the release of the prisoner on bail.

Mr. Seale said that the story to the effect that eleven jurors were willing to compromise on a verdict of murder in the second degree, was untrue.

He said that at no time could the jury have agreed.

It is believed that Mr. Seale was commissioned a committee of one by the other jurors to make this statement to the Judge.

New Evidence. Shortly after the refusal of Lieut. Hand as a bondsman, District-Attorney Philbin announced that he had received word that new evidence had been discovered against Kennedy, and if the report proved true, the accused would be tried the fourth time.

Philbin refused to tell the nature or source of this evidence. He said it would not act as a bar to the release of Kennedy on bail.

Court Crowded to Hear the Arguments of John G. Milburn, Who Made a Brilliant Effort, and His Wily Opponent.

BUFFALO, June 18.—Before the Court of Appeals this afternoon ex-Senator David Bennett Hill, for the people, made a wonderfully strong argument against a retrial of Roland B. Molineux. Brilliant as was the plea of John G. Milburn, Mr. Hill's arguments were equally as clever and strong. Devoted of the touch of sentiment that marked his opponent, the ex-Senator was coldly logical, direct and convincing. He made a deep impression on his hearers, and when he had finished old Gen. Molineux, who had listened as though fascinated, left court with the tears running down his cheeks.

Mr. Hill will conclude his argument to-morrow, and Mr. Milburn will be granted fifteen minutes in which to answer him.

Court Crowded. The court was crowded with spectators, among them many women. More than a thousand persons were turned away.

Ex-Senator Hill began by telling briefly the reasons why he had been asked to argue the case for the prosecution. He then called attention to the fact that Mr. Milburn in opening the case had been at great pains to inform the Court that the defendant was the son of a general who had fought well for his country.

"It is needless for me to say that all of this was extraneous; that there is nothing upon the record that speaks of it. This Court, we know, is a court of justice, in which the meanest pauper in the land stands just as high and has just as many rights as the son of a general or the son of a judge."

"The defendant in this case is not the distinguished general who fought for his country. He is a man who is charged with the crime of poisoning a human being, the lowest, most despicable crime known to the law, and I hope that in the consideration of this case the Court will follow the grand sentiment inferred by Mr. McKinley, that there shall be no class distinction in the administration of the law in this country."

Mr. Hill told briefly of the opening incidents of the crime and led up to the time when Cornish received the silver bottle-holder and the bottle of bromo-seltzer.

An Intelligent Plotter. "And when Cornish opened up this package he found besides the bottle and the holder, something which indicated that the man who sent it had some insight into the usages of polite society; that he was no coarse or uneducated man. He found the little envelope in which the card of the sender is usually enclosed, but the card was missing. The object of the sender was to create the impression that the card had been forgotten inadvertently. The victim did not know who was plotting to take his life. The poisoner works below surface in the dark insidiously."

Eventually, Cornish took home the bottle and the holder and gave the holder to Mrs. Rogers. It was a holder which resembled in some parts the other ornaments on the dresser, and the counsel on the other side, in tragic tones, says it matched the other ornaments in Cornish's house—a useless, a fruitless suggestion, because in no way helping this Court elucidate this case. But he thought it necessary to throw out a veiled suspicion to instill the mind of this Court with the idea that perhaps some one in that household knew something about the case that has not been developed.

He then asked the question, "Did Cornish commit this crime?" directly, but by a veiled implication, an inference, and I can point out to Your Honors in the summing up of the defendant's counsel the fact that Cornish was all but charged with the murder. Why was there any evidence to indicate guilt on his part?

Fits Molineux. "Not one iota of evidence or reason; but in their desperation they must charge their crime upon some one, and they selected Cornish as the victim who sent this bottle-holder and this bromo-seltzer. He was no coarse man, no man unused to society. He was an educated, a refined man. He was a man who used fine cards, a chemist, a man who had the expert knowledge sufficient to prepare this poison and properly fix it in a bottle."

"It so happens that Molineux is a chemist and it so happens that the bottle-holder was purchased in Newark, where this defendant has his shop, and it was purchased a short distance from the place where this defendant slept on the night on which the bottle-holder was bought."

Senator Hill told of the efforts to show who had written the poison package address and then took up the death of Barnet.

"I contend," said he, "that we had a perfect legal right to show the facts connected with the death of Barnet. Here was a man who was a member of the Knickerbocker Athletic Club, where Cornish was employed. The poison that killed him was sent through the mails. Just as it was sent to Cornish. It was the same poison in both cases. All the elements were alike. The lives of both men were plotted against by the same assassin, and yet they say that the mouths of the people should be closed, and that no mention should have been made of Barnet's death."

"The man who plotted these murders was some one who had had unfriendly relations with the Knickerbocker Club. The poisoned bromo-seltzer was sent to Cornish at the Knickerbocker Club, the poisoned Kutnow powders were sent to Barnet at the Knickerbocker Club."



ROLAND B. MOLINEUX.

Who was it who desired to destroy Barnet and Cornish?

Hated Barnet. "Some one who was jealous of them. Some member of the club who had quarreled with them. Who was that man?"

This defendant, he was jealous of Barnet. He had quarreled with Cornish. And yet they would prevent us from including in our case the evidence of Barnet's death which is so all important and is pertinent in this case.

"Now, Your Honors, see how shown two deaths from the same poison. We have shown that this poison was sent to the same club. The medical records show evidence of mercury to be a rare poison. There are but five cases on record in which human beings have died of cyanide of mercury poisoning, and it was supposed that the people should be permitted to show the effects of this peculiar poison. And it also was necessary that they should ascertain who in the Knickerbocker Club was able to make this peculiar kind of poison."

"Now let us see what there is about these letters. The poison sent to Barnet came in Kutnow powders. What did the police do? They wrote to the Kutnow manufacturers and asked them to see if anybody in New York had about Dec. 12, 1898, written for samples, and after looking through 100,000 letters there was found one written on a blue tri-resistant note paper, not the exclusive note paper of the defendant, as the counsel says, but a peculiar kind of paper just the same."

"This letter asked for two samples of Kutnow powders and it was signed by H. C. Barnet, 129 Broadway. The police went to 129 Broadway and held up the letters sent there. They found that these letters came from patent medicine concerns, and it was evident from their contents that the man to whom they were sent was suffering from a disease, the nature of which it is not necessary to mention in this presence."

The Murderer Described. "Then when it was found that a letter-box had been rented under the name of H. C. Barnet, at No. 25 West Forty-second street, the police investigated that; they learned that letters from patent medicine concerns were being received at that letter-box. Also, the letters sent out by the man who rented that box were all containing a diagnosis blank which was filled out."

"That blank, in my opinion, is the most important piece of evidence in this case. On that blank was asked the question, 'Are you contemplating marriage?'"

"The bogus Barnet wrote the answer, 'Yes.' Who was contemplating marriage? The defendant."

"The blank gave the chest measurement of Molineux was 37 inches. The waist measurement of Molineux was 32 inches."

"The age was given as thirty-one years. The age of the defendant in thirty-one years."

"The man who used that letter-box was treating for that disease. Molineux was treating for disease. That man was not Barnet."

"There was no claim that he was the man who wrote the Cornish letters and who wrote the Barnet letters. The man who wrote the Cornish and Barnet letters wrote the poison package address. This man was the poisoner. This man was the man who wrote for patent medicines for impotence in the names of his intended victims. This was the man who prepared the poison for both these men. He was the same man, the same mind."

"In both series of letters appear the same characteristics of style and the same trend of thought. Both murders were the plot of one mind, and whose mind was that? The mind of the man who wrote for patent medicines in the names of his victims—the man whose description tallies in every single particular with the description of this defendant, and I do not blame the counsel for the defense if refusing to put evidence in the case. The reason was that he was overwhelmed by the mass of convincing testimony which the people introduced upon this trial. It would have been the strangest thing in the world if, under the circumstances, the jury had refused to report a verdict against this defendant."

Mr. Hill took up the testimony of Heckman, the letter-box man.

"The claim that the Recorder improperly questioned Heckman is not supported by the record," said Mr. Hill; "and I call Your Honors' attention respectfully to the significant fact that, in spite of the cry that has been raised against the Recorder, there wasn't a single objection made by counsel for the defense to the charge he delivered to the jury. Unconsciously they thus paid to the Court the highest compliment possible."

Showing the Motive. "The counsel on the other side calls upon us to produce a motive for the plot against Cornish's life. He calls your attention to the fact that a short time previous to the death of Mr. Adams, Molineux wrote a letter in which he said that he had forgotten all about his quarrel with Cornish at the Knickerbocker Club and that he wished the club success. Yet at the same time he was plotting to bring about the death of Harpster, the employee of the Knickerbocker Club, and we point to the fact that at the time of the crime Molineux was scheming for the discharge of Harpster, who had never caused him one-half the annoyance that had been caused by Cornish."

"They say Molineux was a mild-mannered gentleman. Yes, he was—he was a mild-mannered gentleman as ever cut a throat or scuttled a ship."

"The question is, Did this defendant write the address on the poison package? We proved that he did. We produced members of his club, and we produced Mr. Martin, of the Jersey bank, his friend, and they said he wrote the address."

"The man who wrote the address was the man who sent the package. We showed by three or four common-law witnesses that he wrote that address. What then? Who had been retained when these disclosures came out? The guilty man first runs to his counsel when disclosures come out."

"Then the greatest expert in handwriting, Mr. Carvalho, was retained. Why? There was danger ahead. At the suggestion of the other side the two experts, Carvalho and Kinsley, examined the letters together. Kinsley represented the people; Carvalho was the paid expert of the defendant. They came to the conclusion that the poison package address and the Cornish and Barnet letters were written by the same man. And Carvalho said then: 'Find the man who uses the tri-resistant blue paper and you have the murderer.'"

"And we found the person who used the tri-resistant blue paper. Is there any wonder that the defense did not call Mr. Carvalho to the stand?"

Fatal Blue Paper. "Is there any wonder that they produced no evidence? It was Molineux who used the blue paper. Should there be any hesitancy in affirming the judgment in this case?"

"You ask me for a motive. I call your attention to the terrible epistle which Cornish applied to Molineux that night in the club. It is not necessary to repeat here, but it rankled in the mind of this young man."

"Then at the conclusion of the quarrel when Molineux was forced out of the club, he said to Cornish: 'I'm out and you are in, you win.' And not only Cornish but all his friends at the club became Molineux's enemies."

"We showed in the Barnet case the relations between Barnet and Blanche Cheesbrough, and I say it was perfectly proper to do that."

"We showed that Molineux was engaged to Miss Cheesbrough and that he subsequently married her."

"The letter which she sent to Barnet while he was ill breathed the love which she had for him. It breathed of love. It showed that she had an affection for Barnet. It showed that Barnet was Molineux's rival."

"Then two days after Barnet died Molineux wrote to a friend: 'I am to be married. It is very sudden, quite a romance, in fact, and I am so happy.'"

Ex-Senator Makes a Powerful Plea Before the Court of Appeals for the Death of the Old Soldier's Son.

"Romance? It was a tragedy."

At this point court was adjourned until 10 o'clock in the morning. The case will be resumed to-morrow.

Milburn Resumes. Mr. Milburn in continuing his argument said:

"If the people had shown that the defendant in this case took a letter-box in the name of Barnet and wrote letters in his name and then sent a box of Kutnow powders to Barnet containing cyanide of mercury, from which he died, and that if, eighteen days later, he sent cyanide of mercury to Cornish, from which Mrs. Adams died, then those two crimes would have constituted two separate and distinct crimes, and there could be no reason whatever for the admission of the evidence as to the death of Barnet upon the trial for the murder of Mrs. Adams."

Kinsley's Judgment. "Expert Kinsley had charge of the exhibit of Molineux's writing. He was the main expert, and was called upon to testify concerning his handwriting which he actually saw him write. The only time Kinsley saw Molineux write was when he was called into the District-Attorney's office and Police Headquarters for the express purpose of furnishing specimens of his writing. Under Kinsley's directions he wrote a copy of the address on the poison package, a copy of one of the Barnet letters and other documents."

"Molineux was not permitted to write in his ordinary hand, but as Kinsley directed him and with pens which Kinsley furnished. And at that time Kinsley was in the employ of any of the police and these manufactured specimens were used against Molineux for purposes of comparison. I submit that Kinsley was not a competent witness. He was not competent to testify as to Molineux's writing."

Justice O'Brien's Query. "Was Mr. Weeks acting as counsel for him at that time?" asked Justice O'Brien.

"He replied Mr. Milburn: 'But at that time Molineux was under suspicion, and if Molineux had refused to furnish specimens of his handwriting, the report would have gone abroad that Molineux had refused to do so. Your Honors know the power of the police in such cases and in this instance they used it with an unscrupulous perfectly amazing.'"

"Did Molineux know what was expected of him?" asked Justice O'Brien. "He knew he was expected to write."

"Was he permitted to write in his natural hand?"

"He was not! It was all artificial writing and the peculiar part of it is that at first Kinsley rejected the theory that Molineux had written the address on the poison package, but after he had secured the artificial specimens, he was prepared to say that he thought Molineux had written the address on the poison package. He was not willing to swear positively."

Justice Parker's Question. "Did Kinsley ever say why he had abandoned the conclusion that Molineux did not write the address on the poison package?" asked Chief Justice Parker.

"He afterward said that some peculiarity which had attracted his eye in the formation of the letter 'd' had led him to make a new examination and come to the conclusion that Molineux wrote the poison package address," replied Mr. Milburn.

"The artificial specimens were admitted in evidence as a basis of comparison, and Kinsley took the stand, and comparing the handwriting on the poison package and in the Barnet and Cornish letters with this artificial writing, Kinsley said that they were written by Molineux. Then these letters were put in as evidence for purposes of comparison. After the handwriting experts from all over the land went on the stand and delivered addresses on handwriting."

COPING FELL ON THEM.

Workmen Injured While Raising Old "Oak Ridge" Flat.

John Ryan, forty-two years old, of No. 72 East Thirtieth street, and Marcellus Newberry, thirty years old, of No. 123 West Forty-first street, were tearing down an old building at No. 123 West Thirtieth street, formerly the "Oak Ridge" apartment-house, this morning, when they were injured by a falling coping.

Both were taken to the New York Hospital.

FOOD FOR MEMORY.

The Kind That Builds Up the Brain.

It is hard to believe that certain kinds of food will strengthen the memory, and yet, upon the character of the mind, and its power to remember, and to exert itself in various ways, and a healthy brain can only be maintained by well selected food.

Now we know that daily use of the brain uses up certain parts that are thrown out through the pores to the outer surface of the skin. This waste is natural and must be made up from food.

Grape-Nuts Food was made especially to rebuild the brain and nerve centers. An experience in Chicago will illustrate:

Mrs. G. H. Baber, 528 South Paulina St. writes: "I had a terrible sleep of gastritis, my stomach refused everything in the way of food until I got hold of Grape-Nuts. It was perfectly wonderful and marvellous a good difference; I began to improve at once. I weighed myself about that time and found that I had 118 pounds, and now weigh 160 pounds, and an strong and in better health than ever in my life."

"I have lately had a seven months' course of vocal instruction and have memorized 58 songs and most of the accompaniments besides several piano pieces. When I started in it seemed almost impossible, but now my memory has been growing better every day and I now find it easy to commit to memory without difficulty."

"I have taken no medicine, but my steady diet of Grape-Nuts Food has given me strength, health and memory."

PHILBIN CAN BUY HIM OFF.

Writer, Intent on Murder, Will Save Trouble for \$10,000.

District-Attorney Philbin received the following letter in his mail today:

"Mr. District-Attorney:

"Dear Sir: The awful expense that taxpayers are forced to shoulder for so-called legal expenses in prosecuting criminal cases like that of Molineux and Dr. Kennedy suggests to me a means whereby crime can be avoided, good feelings restored and public money saved."

"I have been brooding for some time over some troubles, and have finally made up my mind to act. I contemplate murdering a man pretty soon; an act terminated on this course and I have laid out my plans so carefully that all the detectives and police of the city can't trace the guilty party."

"Being hanged up at the present time, and being a natural lover of peace, I am willing, for a consideration, to forego my intentions and avoid expense to the public and trouble to you."

"The papers say that the costs of trials in cases of this kind reach about \$10,000. If you will pay me a quarter of that amount, or \$2,500, in cash, I will drop the subject. Otherwise, I will die and you will have a case on your hands that will cost you more than the \$2,500. I will give you a receipt for the money, and you can have an attorney to draw up the papers."

"We will do things up O. K. Sincerely yours, J. K. DEERHEADLAND."

BRANDED WITH RED-HOT IRON.

Anarchists Lure an Alleged Traitor Into the Woods and Mark Him for Life.

"Thus do we brand all traitors with the scarlet letter of shame!"

The light radiated from the iron heated to a white glow. It threw a bright ray across the dark faces of the little group of men in the thick woods. It revealed the set features of one who was firmly bound and held by the others.

A big, brassy hand was in a vise-like grip. Across the back of it the glowing iron was traced. There was an odor of burning flesh.

Not a cry escaped from the lips of the prisoner. The face was only set in the grimace of a steady movement. The letter "T" was drawn.

"It is for traitors," said he who had pronounced the sentence. "Go, the Grace will follow you for life."

A little pile of ashes, a few charred pieces of wood may be seen to-day at the foot of a great oak tree in Liberty Park, Ridgewood, L. I.

A tall, broad-shouldered, sunken-looking man is slipping his beer alone in a saloon in Gold street. But not a man will talk about the happening in the Long Island woods. It was an incident of the life of the various groups of Anarchists who assemble in Paterson, N. J., and in the lower part of New York.

The man who was branded is said to be Antonio Reppo. He recently went to

BLONDIN MAY BE IN PELHAM.

Man Accused of Killing His Wife Was in This City.

Joseph Wilfred Blondin, the alleged wife-murderer, of Boston, is believed to be in Pelham Manor today. He has assumed the name of Joseph Morrau and is seeking employment as a laborer.

Reppo is not now an employee of the paper. The editor denies all knowledge of the branding. He did not attend the branding.

Reppo, it is said, had accepted the displeasure of Herr Most, who denounced him in the Freiheit, the Socialist paper.

Reppo was enticed into a lonely part of the woods on the pretext that a new house was being formed. There he was seized by a half-dozen strong men. Twenty other Anarchists surrounded him.

He was searched and on him, it was said, was found a letter from the Italian Consul and bank notes amounting to \$9.

Blondin, Most, when questioned about the matter, shrugged his shoulders.

"Yes, there was a fight," he said. "But I know nothing of the branding. I do not care to talk about it."

The men who attended the branding were particularly bitter in their denunciation of the law. They hissed the Italian and the American flags and dragged them in the dust, and they honored Bressi, the assassin of King Humbert, as a martyr and a hero.

The Italian Consul may order an investigation of the branding.